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Protracted conflicts in the GUAM area and their implications for international peace, security and development

The situation in the occupied territories of Azerbaijan

Letter dated 21 January 2016 from the Permanent Representative of Azerbaijan to the United Nations addressed to the Secretary-General

I would like to draw your attention to the false allegations made in the letters of the Permanent Representative of the Republic of Armenia to the United Nations, including those contained in documents A/69/718-S/2015/11, A/69/875-S/2015/259 and A/70/437-S/2015/803.

Those allegations are part of Armenia's usual practice of falsifying data and fabricating pretexts to conceal the fact that Armenia itself is directly responsible for the illegal occupation of a significant portion of the territory of the Republic of Azerbaijan. The Government of Armenia, through continued aggression and provocations against the Republic of Azerbaijan, imperils regional security and stability.

By distributing its so-called ceasefire violation reports under the symbols of the main organs of the United Nations, particularly the General Assembly and the Security Council, Armenia seeks to justify its own continued illegal military presence and use of force against the sovereignty and the territorial integrity of the Republic of Azerbaijan. It tries to camouflage the fact that, at present, the front line extends far beyond the Nagorno-Karabagh region, reaching Agdam and Fizuli districts, and that Armenian soldiers are deployed on these and other occupied territories of the Republic of Azerbaijan.

Moreover, Armenia has created, aided and effectively controlled the separatist regime in the Nagorno-Karabagh region of the Republic of Azerbaijan, especially the so-called "Nagorno-Karabakh Defence Army". On 15 June 2015, President Serzh Sargsyan of the Republic of Armenia officially approved the rotation between the Deputy Chief of General Staff of the armed forces of the Republic of Armenia and the so-called "minister of defence" of the separatist regime (see A/69/971-S/2015/499).

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Furthermore, in his statement on 26 September 2015, the President of Armenia alleged that Nagorno-Karabakh is an "inseparable part of Armenia" (see www.president.am/en/press-release/item/2015/09/26/President-Serzh-Sargsyan-meeting-Genocide-100). These particular examples further prove that Armenia and the separatist regime are in fact a single entity.

While deploying its military contingent in the occupied territories of the Republic of Azerbaijan, Armenia claims them to be military personnel of the so-called "Nagorno-Karabakh Defence Army". The fact that parents of the killed soldiers repeatedly protested in front of the presidential palace in Yerevan and demanded explanations as to why their sons had been sent to fight another country is yet another proof of Armenia's responsibility.

The latest proof of Armenia's responsibility: on 16 June 2015, the Grand Chamber of the European Court of Human Rights announced its decision on the case of *Chiragov and others v. Armenia*. The Court ruled in favour of the applicants, recognizing continuing violations by Armenia of a number of their rights under the Convention for the Protection of Human Rights and Fundamental Freedoms. The Court noted that the war had started with calls for the incorporation of Nagorno-Karabakh into Armenia and specifically referred, in that regard, to a joint resolution on the "reunification" adopted in December 1989 by the Supreme Soviet of the Armenian SSR and the Nagorno-Karabakh regional council. The Court also established that the citizens of Azerbaijan had been forced to leave Lachin as a result of Armenia's military attack on the district in May 1992.

Armenia's military provocations aimed at violating the ceasefire regime are regular aggressive acts against the Republic of Azerbaijan, which are deliberately concealed. These include large-scale military movements in the occupied territories of the Republic of Azerbaijan with the deployment of about 47,000 military troops and over 3,000 combat equipment and armaments and attacks by "MI-24" combat helicopters of the air forces of the Republic of Armenia on the defence positions of the armed forces of the Republic of Azerbaijan, as well as the purposeful targeting of a wedding ceremony in Gapanly village of the Terter district on 1 September 2015. While pretending to objectively inform the General Assembly and the Security Council on ceasefire violations, Armenia "forgot" to mention these facts in its respective letters.

There is also significant discrepancy between the information provided in the relevant letters of the Armenian Permanent Representative and the Armenian mass media with regard to the names and number of the soldiers claimed to be killed/wounded for a given reporting period. In its letter (A/69/875-S/2015/259), Armenia increased the number of wounded by adding seven more soldiers (Narek Mkrtchyan, Gurgen Mkrtchyan, Taron Khudabakhshyan, Artavazd Karapetyan, Jora Grigoryan, Onik Miqayelyan and Gevork Manvelyan). Meanwhile, their names were never disclosed to the Armenian public.

Throughout 2015, as a result of Armenia's illegal occupation and ceasefire violations, 22 servicemen of the Azerbaijani army were killed and 13 wounded, and 1 civilian was killed and 11 were wounded. Azerbaijani soldiers are being killed, maimed and wounded defending Azerbaijan's territorial integrity, sovereignty and State borders. By contrast, Armenia's soldiers are on Azerbaijani land fighting for the aggressive expansionist policy of their country.

Armenia's reports on the supposed ceasefire violations are designed to conceal these basic realities. The purposeful concealment of key facts attests to Armenia's deceptive and manipulative practices, denying its role, involvement and grave responsibility for the aggression and occupation of the territories of the Republic of Azerbaijan and its consequences. The distribution of letters by Armenia under agenda item 34 (Prevention of armed conflict), while the conflict between Armenia and Azerbaijan is in its twenty-eighth year, is the peak of hypocrisy.

In the light of the above-mentioned, Armenia's so-called calls for peace and alleged support for the work of the Organization for Security and Cooperation in Europe (OSCE) Minsk Group without withdrawing its armed forces from all the occupied territories of the Republic of Azerbaijan and eliminating the consequences of the occupation, are nothing but lofty words to conceal its annexationist policy and mislead the international community.

In response to the aggression and occupation, the Republic of Azerbaijan chose to approach the Security Council for redress back in 1993. On its part, the Security Council adopted four resolutions, reaffirming the territorial integrity and sovereignty of the Republic of Azerbaijan with the Nagorno-Karabakh region as its part, recognizing and condemning the fact of invasion, and demanding the immediate, complete and unconditional withdrawal of the occupying Armenian forces. Later, the General Assembly engaged, and the item "The situation in the occupied territories of Azerbaijan" has been included in the agenda of the General Assembly since 2004. Azerbaijan continues to be engaged in the conflict resolution process in good faith.

The continued occupation of a big portion of the territory of the Republic of Azerbaijan by the armed forces of the Republic of Armenia is the main obstacle in the settlement of the conflict and the only source of hostilities and casualties. If Armenia is genuinely interested in the ceasefire and lasting peace, it should withdraw all its occupying forces from the occupied territories of the Republic of Azerbaijan in accordance with the relevant Security Council resolutions and fulfil its obligations under the Charter of the United Nations, to which all States Members of the United Nations solemnly reaffirmed their commitment in October 2015.

The Republic of Azerbaijan will continue to exercise its legitimate right of self-defence against Armenia's ongoing aggression and use of force and to call for the liberation of its occupied territories in line with Article 51 of the Charter.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda items 35 and 40, and of the Security Council.

(*Signed*) Yashar **Aliyev**
Ambassador
Permanent Representative